

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

WILLIAM L. HARDING,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-21-0032-HE
)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	

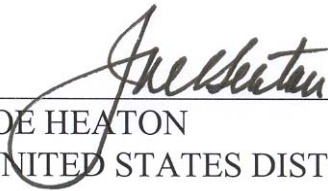
ORDER

Petitioner William L. Harding, a state prisoner appearing *pro se*, filed a motion for a Writ of Mandamus pursuant to 28 U.S.C. § 1361 seeking to have the court order the Equal Employment Opportunity Commission to respond to EEOC charge against the Oklahoma Department of Corrections. The matter was referred to Magistrate Judge Amanda Green pursuant to 28 U.S.C. § 636(b)(1)(B) & (C) for initial proceedings. Upon initial review of the matter, Judge Green issued a Report and Recommendation recommending that the motion be dismissed.

Petitioner filed an objection to the Report which indicates he has now received a response to his EEOC filing and requesting his Writ be withdrawn without prejudice to refiling. Accordingly, the Report and Recommendation [Doc. #5] is **ADOPTED**. The Petition for Writ of Mandamus [Doc. #1] is **DISMISSED** without prejudice. Petitioner's Motion for Leave to Proceed IFP [Doc. #2] is **DENIED** as moot.

IT IS SO ORDERED.

Dated this 19th day of March, 2021.



JOE HEATON
UNITED STATES DISTRICT JUDGE